

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 97 of the Commission's)	
Amateur Radio Service Rules to Eliminate)	RM - 10786
Morse Code Proficiency Testing Requirements)	
For All Classes of Amateur Licenses)	
)	
To: The Commission)	

Comments Of [David J. Duffey KB7QWZ](#)

2003 has been an exciting year in amateur radio. The WRC-03 finally addressed the issue that amateurs have complained about for years. Morse code is no longer viable as an employment tool since government and commercial radio does not utilize it any longer. The need for a pool of Morse code trained operators has passed with the dawn of the technology age.

It follows then that there is no need to require code proficiency for amateur licenses. All it does is keep out otherwise qualified people that could assist in emergency management throughout the country. Many countries have already recognized this and have dropped the requirement. Many more are in the process.

In it's review of Part 97 amateur rules (WT Docket No. 98-143) it stated that the public interest will best be served by reducing the Morse code examination requirement to the minimum that meets the ITU Radio Regulations. That would translate to no Morse test at all for any class of amateur license now. Since that is now the case the Commission is no longer bound by an unwaiveable requirement in the ITU Radio Regulations. Ergo the Commission can and should remove them from our regulations immediately.

The Commission's own determinations, as well as significant public comment, from the Proceedings in both 1990 and 1999 clearly demonstrate that a Morse proficiency test is unnecessary and undesirable as: it does not comport with the basis and purpose of the Amateur Radio Service; acts as a barrier to entry to otherwise competent people; it no longer continues to serve a regulatory purpose; it does not serve the public interest and necessity.

Since there was extensive input from the public and concerned parties in WT-Docket Number 98-143 the Commission already has the authority to amend its Part 97 rules to eliminate Morse proficiency requirements by executive expedited order. Packaging the Morse issue with other matters would be unnecessary, counter productive, and time wasting since there is no longer a

regulatory reason to retain it. The other issues like band segmentation, changes in license classes, sweeping changes in operator privileges by license class, and others will take much more time to establish. This is a one-issue regulation that can be handled with expedience by that executive order.

I would then hope that the Commission would eliminate the element 1 Morse test totally from the Commission's rules for all license classes and modify the Technician to Technician Plus since it would be a consequential and logical change.

Respectfully submitted,

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